

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
APRIL 21, 2003**

The Tippecanoe County Commissioners met on Monday, April 21, 2003 at 10:00 A.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President KD Benson, Vice President Ruth E. Shedd, and Member John L. Knochel. Also present were: Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Benson called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Commissioner Shedd moved to approve the minutes of the April 7, 2003 Regular Meeting, the April 9, 2003 Poor Relief Hearing, and the April 16, 2003 Poor Relief Hearing as distributed, seconded by Commissioner Knochel; motion carried.

APPROVAL OF ACCOUNTS PAYABLE VOUCHERS

- Upon the recommendation of Commissioners' Assistant Weston, Commissioner Knochel moved to approve the Accounts Payable Vouchers as submitted for the periods ending April 11, 2003, April 18, 2003, and April 21, 2003, seconded by Commissioner Shedd; motion carried.

HIGHWAY: Executive Director Mark Albers

AWARD BIDS: Bituminous Materials and Dust Control (opened 4/7/2003)

- Upon Mr. Albers' recommendation, Commissioner Shedd moved to award the Bituminous Materials Bid to both Rieth-Riley Construction Co., Inc. and Milestone Contractors, L.P. and the Dust Control Materials Bid to Asphalt Materials, Inc., seconded by Commissioner Knochel; motion carried.

OPEN BIDS: CR 430 S Reconstruction Project

Attorney Luhman opened and read the bids:

Milestone Contractors, L.P.	Bid Bond	\$909,501.46
Rieth-Riley Construction Co., Inc.	Bid Bond	1,041,192.62

- Commissioner Shedd moved to take the bids under advisement, seconded by Commissioner Knochel; motion carried.

WAGE BOARD

- Upon Mr. Albers' request, Commissioner Shedd moved to make appointments to the Wage Board for the 2003 Bridge Rehabilitation Project at the May 5, 2003 Regular Meeting, seconded by Commissioner Knochel; motion carried.

TEMPORARY GRANT OF RIGHT OF WAY (Easement): CR 430 S Project

Key #146-05400-1214:

Key #146-05400-1192:

Parcel #28 A: A part of the SE ¼ of the NW ¼ of Sec 16, Twp 22 N, R 4 W in Wea Twp. from Tippecanoe School Corp.

QUIT CLAIM DEED: CR 430 S Project

Key #146-05400-1192:

Key #146-05000-0096

Parcel #28: A part of the SE ¼ of the NW ¼ of Sec 16, Twp 22 N, R 4 W, Wea Twp., from Tippecanoe School Corp.

Mr. Albers presented the Temporary Grant of Right-of-Way (easement) from the Tippecanoe School Corporation for lawn grading for the CR 430 S Project. The Quit Claim Deed from Tippecanoe School Corporation to Tippecanoe County will make it clear who the settlement money goes to for the CR 430 S Project.

- Commissioner Shedd moved to approve the Temporary Grant of Right-of-Way (easement) and the Quit Claim Deed for the CR 430 S Project, seconded by Commissioner Knochel; motion carried.

**WARRANTY DEED: CR 550 E Project (SR 26 to McCarty Lane)
PARTIAL RELEASE OF MORTGAGE**

Mr. Albers submitted for acceptance the following Warranty Deed and Partial Release of Mortgage for the CR 550 E Project.

Key #112-03000-0170: 30' ½ width R-O-W easement; A part of the NW ¼ of Sec. 30, Twp. 23 N, R 3 W, Perry Twp., from John R. Evans

- Commissioner Shedd moved to approve the Warranty Deed and Partial Release of Mortgage for the CR 550 E Project, seconded by Commissioner Knochel; motion carried.

MAINTENANCE BONDS: C. P. Morgan Communities, L. P.

- Commissioner Shedd moved to approve 3 year Construction Maintenance Bond #B21872521 for C. P. Morgan Communities, L.P. in the amount of \$5,000 for an entrance to Benjamin Crossing SD and 3 year Construction Maintenance Bond #B21872564 for C. P. Morgan Communities, L.P. in the amount of \$5,000 for work on CR 250 E related to Benjamin Crossing SD, seconded by Commissioner Knochel; motion carried.

PERFORMANCE & PAYMENT BONDS: Asphalt Materials, Inc.

- Commissioner Shedd moved to approve Performance and Payment Bonds #400SV2240 both in the amount of \$25,000 for Asphalt Materials, Inc. to furnish Liquid Asphalt, seconded by Commissioner Knochel; motion carried.

CERTIFICATES OF INSURANCE

- Accident Fund Company for Manufactured Housing Services, Inc.
- Indiana Insurance Group for Scott Contracting Inc
- FCCI for Earth Exploration Inc
- Hastings Mutual Insurance Comp for SC Builders Inc and SC Framers Inc
- Cincinnati Insurance Company, Accident Fund Insurance Co for Foley Homes, Inc
- Sheffield Insurance Corp for Global Crossing Telecommunications, Inc
- Erie Insurance Exchange for ABS Excavating

SUBDIVISION VARIANCE: S-3282-Meadowgate Estates SD : Fred & Andrea Kuipers

- Commissioner Shedd moved to approve a variance to permit a 4,289.83 ft long cul-de-sac for Meadowgate Estates SD, seconded by Commissioner Knochel.

Representing the petitioner, Paul Coutts of C & S Engineering requested a variance to permit a 4,289.83 ft. long cul-de-sac for Shootingstar Lane instead of the maximum permitted length of 800 ft. He said they understood from Area Plan no variance was required for length for Rural Estate Subdivisions but the Subdivision Ordinance reads that a variance is required because this is a public street.

Area Plan Assistant Director Sallie Fahey stated the Ordinance Committee will be asked to decide if this applies to Rural Estate Subdivisions.

Mr. Albers asked if the radius of the cul-de-sac will accommodate school buses. Mr. Coutts affirmed that an extra large cul-de-sac was installed for that purpose.

- The motion to approve the variance carried.

DISCUSSION: McCutcheon Student Parking Situation (Refer to Minutes of 2/19/03 under Unfinished Business)

Attorney Luhman discussed the content of a draft ordinance that includes general parking restrictions and authority of the County Highway Department not only for the McCutcheon situation but for occasions when the department may need to post signage in other areas of the County. The draft ordinance also addresses specifically the problem of non-resident parking in the vicinity of county high schools. It defines "resident" and "high school", includes time and streets or subdivisions restricted to non-resident parking every day school is in session, exempts delivery vehicles and addresses violations.

President Benson commented that this proposed ordinance will allow continued parking by residents of the subdivisions. Commissioner Shedd thought it would be easier and less expensive to restrict parking by subdivision name rather than by street name. Attorney Luhman said the Commissioners may wish the ordinance to also apply to unplatted streets that are adjacent to high schools. He suggested allowing the Highway Department to define the streets or subdivisions.

Commissioner Knochel suggested posting the proposed ordinance in the Highway Department as well as on their Web site for at least a month to gain feedback. Mr. Albers agreed and recommended posting subdivisions rather than streets where possible as a cost savings. He said the Highway Department has a county-wide problem with vandalism of their signs and fewer signs will be easier and cheaper to maintain.

President Benson suggested posting a final ordinance with designated sign locations for a possible June approval date.

OPEN 2003 AMBULANCE BIDS

Attorney Luhman opened and read the 2003 Ambulance Bids:

Wheeled Coach Industries	Bid Bond	(2) 2003 Ford E-450	86,515.00 ea
TransRight, Inc.	NO Bid Bond	(2) 2003 Ford E-450	91,440.00 ea
Rolland Specialty Vehicles & Products, Inc	Bid Bond	(2) 2003 Ford E-350	92,900.00 ea

Attorney Luhman noted TransRight, Inc. did not include a Bid Bond or Bid Form 95

- Commissioner Shedd moved to take the Ambulance Bids under advisement, seconded by Commissioner Knochel; motion carried.

LONG TERM DISABILITY CARRIER: Human Resources Director Frank Cederquist

Mr. Cederquist reported he asked consultant R. E. Sutton & Associates to examine the County's Long-Term Disability Insurance and solicit RFPs (Requests for Proposals) from appropriate vendors. RFPs from UNUM/Provident, Jefferson Pilot, and National Insurance Services were examined and Sutton recommends we change from our current provider, UNUM/Provident, to National Insurance Services. With a rate reduction from 57¢ to 43¢ per \$100 covered payroll, Mr. Cederquist said the County will save approximately \$27,000 annually. He said there will be loss of coverage due to a change in carrier but there are three additions:

- If a Totally Disabled employee returns to Active Work for a total of 15 calendar days or less and again becomes Totally Disabled from the same or related cause, the elimination period will be increased by the number of days of return to Active Work. If an Employee's return to Active Work is for a total of 16 or more calendar days, the Elimination Period will start over and apply to the new period of Total Disability.
- Partial Loss of Income.
- At age 55 and older, guarantee \$72,000 long-term care policy issuance. Employee pays premium.
- Commissioner Shedd moved to change the carrier for the County's Long-Term Disability Plan to National Insurance Services, seconded by Commissioner Knochel; motion carried.

WIC: New Position Request: Coordinator Colleen Batt

Ms Batt explained WIC currently has two (2) full time Nutritionist positions but, due to program growth, they need to add a third Nutritionist who will be paid by the WIC Grant. Part-time employees have been used but, because some are choosing to work fewer hours, she doesn't think she can fill those hours with more part-time employees because they have maxed out the health professional job market. With the current caseload, Ms Batt feels sure WIC funding will continue.

- Commissioner Shedd moved to approve the request for a new Nutritionist position for WIC, seconded by Commissioner Knochel; motion carried.

AGREEMENT: Professional Translations Services: Judge Thomas Busch

Judge Busch requested approval of a Professional Translations Services Agreement with Samulowitz & Associates to serve as court interpreter for all the courts effective until December 31, 2003. If Samulowitz & Associates does not have expertise in a particular language, he said they will help find an interpreter who does. The courts agree to refer clients to Samulowitz but this is not an exclusive agreement. Interpreting services will be paid at a rate of \$50.00 per hour or fraction. Services performed for different cases heard at the same session will cumulate. Judge Busch said Samulowitz is not paid if called but the case is settled.

- Commissioner Shedd moved to approve the Agreement for Professional Translations Services with Samulowitz & Associates, seconded by Commissioner Knochel; motion carried.

GRANT APPLICATION: Title V Community Prevention Program: Superior Court III Fiscal Officer/Quest Coordinator Kathy Timberlake

Ms Timberlake requested permission to apply for a three year cycle of the Title V Community Prevention Program Grant. They are finishing a three year cycle of the current grant and are required to present three new programs to qualify for another. The programs they will present are from the Community Family & Resource Center. The County administers the grant but no cash match is required.

- Commissioner Shedd moved to permit Superior Court III to apply for the three year Title V Community Prevention Program Grant, seconded by Commissioner Knochel; motion carried.

GRANT APPLICATION: Bullet Proof Vest Program: Sgt Bob Brewer, Sheriff's Department

Sgt Brewer requested permission to apply for the Bullet Proof Vest Program Grant through the Bureau of Justice Assistance. He said the Sheriff's Department pays 50% of the amount awarded by the Bureau. Due to a recent change, entities under 100,000 population can reapply for funds they didn't receive in the prior year which is \$2,400 for Tippecanoe County. In addition to the \$2,400, Tippecanoe County will be asking for \$7,740 for 2003 to purchase twelve (12) vests to bring the total amount requested to \$10,140. He said they should know the amount they are awarded by the end of Summer.

- Commissioner Shedd moved to permit the Sheriff's Department to apply for the Bullet Proof Vest Program Grant in the amount of \$10,140, seconded by Commissioner Knochel; motion carried.

GRANT AGREEMENT: Indiana Citizens Corps Council Activities Grant: TEMA Director Steve Wettschurack

Mr. Wettschurack requested acceptance of this Grant Agreement from the Commission on Community Service and Volunteerism in the amount of \$6,000. The money will be used for public education documents (i.e. brochures) regarding Citizen Corps Council Activities.

- Commissioner Shedd moved to approve the Grant Agreement for Indiana Citizens Corps Council Activities in the amount of \$6,000, seconded by Commissioner Knochel; motion carried.

CAPITAL PROJECTS: Proposed for Cum Cap Funding: Commissioners' Assistant Jennifer Weston

Mrs. Weston submitted the following proposed capital projects for inclusion in an amendment to the Cum Cap Plan:

Mail room equipment (Clerk child support checks)	10,000.00
Replenish grant contingency funding (CH windows)	50,000.00
Replenish facility maintenance funding (CH windows)	12,000.00
Roof replacement (Parks-Battlefield)	12,000.00

As a former County Clerk, Commissioner Shedd said the equipment request for child support checks will streamline the process and save money. Clerk Linda Phillips explained they currently used blank stock that costs 12½¢ each for child support checks that are printed by the MITS Department and separated by a burster in the mail room. The State will provide a laser printer with a cartridge that will print child support checks on blank stock that costs only 5¢ each. The capital request is for a folder/sealer machine that can be used for the child support checks as well as various other uses by County departments. Estimates from four (4) vendors are between \$10,000 and \$11,000 which Mrs. Phillips estimated will be paid for in two years with the cost savings as well a savings of employee time.

- Commissioner Shedd moved to approve the list of capital projects with an increase to \$11,000 for the folder/sealer for mail room equipment, seconded by Commissioner Knochel; motion carried.

The Cum Cap Plan will need to be amended to include these projects and an appropriation of funds approved by the County Council.

AGREEMENT: Courthouse Window Restoration: Tradesman Group, Inc.

An Agreement in the amount of \$61,000 for restoration of Courthouse windows from Tradesman Group, Inc. was presented for approval. It was noted funding is included in two line items that will appear in the amended Cum Cap Plan.

- Commissioner Shedd moved to approve the Agreement with Tradesman Group, Inc. in the amount of \$61,000, seconded by Commissioner Knochel; motion carried.

ORDINANCE 2003-20-CM: Special Purchase and Reimbursement

The final version of Ordinance 2003-20-CM will appear in its entirety in the Ordinance and Resolution Book in the County Auditor's Office.

Attorney Luhman explained this is an ordinance because, under the Home Rule Statute, the county has the authority to enact ordinances to provide for administration of the county. Because in some cases it may be necessary and convenient for employees to incur out-of-pocket expenses on behalf of the county, this ordinance will establish a policy for such special purchases and reimbursements. Also covered is the circumstance when an event is held for the public or non-county employees and refreshments are served. County employees will be allowed to partake of food and beverage if their attendance is required. The ordinance requires the expense for these public items be reasonable and approved by the Commissioners.

Mrs. Weston said Commissioner Knochel's two suggested changes from the April 7th discussion have been implemented in this version. She noted two other changes:

#9 now includes a customary gratuity up to fifteen percent (15%) for meals.

"The County will not reimburse or make payments for gratuities of any kind except for a customary gratuity of fifteen percent (15%) for meals, which must be supported by the documentation required for reimbursement as set forth herein."

#10 now says the credit card receipt and a copy of the purchaser's credit card statement must be submitted.

"Employees seeking reimbursements for credit card purchases must submit the credit card receipt and a copy of the purchaser's credit card statement with the purchase itemized."

Mrs. Weston suggested changing and to and/or. Attorney Luhman suggest changing and to just or.

Auditor Plantenga took exception to allowing a gratuity in #9 since the County's Travel Policy states no gratuity will be paid. If approved, he said this will create a real problem for the Auditor's Office since gratuities are handwritten and there will be no documentation. He agrees with reimbursing payment for a meal but disagrees with reimbursing payment for a gratuity since that is for a personal service. In his opinion, that is an inappropriate use of public funds. Commissioner Shedd agreed because it is contradictory to what is already in place.

Attorney Luhman read the suggested amendments:

#9: The County will not reimburse or make payments for gratuities of any kind.

#10: Employees seeking reimbursements for credit card purchases must submit the credit card receipt or a copy of the purchaser's credit card statement with the purchase itemized.

- Commissioner Shedd moved to approve Ordinance 2003-20-CM on first reading with the suggested amends to #9 and #10, seconded by Commissioner Knochel.

Auditor Plantenga recorded the vote:

KD Benson	Yes
Ruth Shedd	Yes
John Knochel	Yes

- The motion to approve Ordinance 2003-20-CM as amended on first reading passed 3 – 0.

REPORTS

Reports from the Clerk and Health Department (annual) are on file in the Commissioners' Office for review.

PUBLIC COMMENT

None.

ADJOURNMENT

- Commissioner Shedd moved to adjourn, seconded by Commissioner Knochel; motion carried.

BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE

KD Benson, President

Ruth E. Shedd, Vice President

John L. Knochel, Member

ATTEST:

Robert A. Plantenga, Auditor